

Amendment and Response under 37 C.F.R. 1.116

Applicant: Michael Whitmarsh et al.

Serial No.: 09/710,368

Filed: November 10, 2000

Docket No.: 10003975-1

Title: PRINT PROCESSING SYSTEM AND METHOD WITH IMAGE ADVISOR SERVICE**REMARKS**

The following Remarks are made in response to the Final Office Action mailed December 14, 2004 in which claims 1-26 were rejected. With this Amendment, claims 7, 8, 12, 21, 22, and 26 have been cancelled without prejudice, and claims 1, 13, and 14 have been amended to clarify Applicant's invention. Claims 1-6, 9-11, 13-20, and 23-25, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Blumberg et al. U.S. Patent Application Publication No. 2003/0140315.

With this Amendment, independent claim 1 has been amended to clarify that determining an appropriate application for the image with the print processing system controller based on the image includes processing the print request and the data file for the image by the print processing system controller to determine an image characteristic including at least one of a print resolution, a bit depth, a size, a file size, and a quality of the image and determine one of a specified application and a specified printing option including at least one of a print medium size and a print medium type for the image, and includes comparing the image characteristic and the one of the specified application and the specified printing option to determine the appropriate application for the image.

In addition, independent claim 14 has been amended to clarify that the print request includes one of a specified application and a specified printing option including at least one of a print medium size and a print medium type for the image, to clarify that the print processing system controller is adapted to determine an image characteristic including at least one of a print resolution, a bit depth, a size, a file size, and a quality of the image, and to clarify that the print processing system controller is adapted to compare the image characteristic and the one of the specified application and the specified printing option to determine the appropriate application for the image.

With respect to the Blumberg et al. publication, this publication does not teach or suggest a method of processing an image, as claimed in amended independent claim 1, nor a system for processing an image, as claimed in amended independent claim 14. For example, the service of the Blumberg et al. publication includes a user interface that enables a user to

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select finishing options for a document and interactively displays a proof of how the finished document will look when the user's selected finishing options are applied (para. 30). The service of the Blumberg et al. publication, however, does not determine an image characteristic including at least one of a print resolution, a bit depth, a size, a file size, and a quality of an image, and compare the image characteristic and one of a specified application and a specified printing option for the image to determine an appropriate application for the image. Rather, the service of the Blumberg et al. publication simply displays a document with finishing options as selected by the user. Furthermore, the service of the Blumberg et al. publication does determine whether the finishing options selected by the user are appropriate for the document.

In view of the above, Applicant submits that independent claims 1 and 14 are each patentably distinct from the Blumberg et al. publication and, therefore, are each in a condition for allowance. Furthermore, as dependent claims 2-6, 9-11, and 13 further define patentably distinct claim 1 and dependent claims 15-20 and 23-25 further define patentably distinct claim 14, Applicant submits that these dependent claims are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 1-26 under 35 U.S.C. 102(e) be reconsidered and withdrawn and that claims 1-6, 9-11, 13-20, and 23-25 be allowed.

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In view of the above, Applicant respectfully submits that pending claims 1-6, 9-11, 13-20, and 23-25 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Robert C. Sismilich at Telephone No. (858) 655-8329, Facsimile No. (208) 655-5859 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on this 14TH day of February, 2005.

By 
Name: Scott A. Lund